

Issued by the
UNITED STATES DISTRICT COURT

JUL - 7 2005

MARY L.M. MORAN
CLERK OF COURT

DISTRICT OF

GUAM

LA-RESA BLAS,
V. Plaintiff,

SUBPOENA IN A CIVIL CASE

IMPERIAL SUITES, INC,
d/b/a IMPERIAL SUITES
HOTEL and BONG ROBATO,

CASE NUMBER: 03-00027

30

Defendants.

TO:

Department of Revenue and Taxation

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

Law Offices of Gorman & Gavras, 2nd Flr, J&R Bldg., 208 Rt 4, Hagatna, GU 7/14/05 @ 2:00 p.m.

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

** Please see attached **

PLACE

DATE AND TIME

Law Offices of Gorman & Gavras, 2nd Flr, J&R Bldg., 208 Rt 4, Hagatna, GU 7/14/05 @ 2:00 p.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for Plaintiff

7/6/05

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

WILLIAM L. GAVRAS, ESQ. Law Offices of Gorman & Gavras, 2nd Flr, J&R Bldg, 208 Rt4, Hagatna, GU
472-2302 Case 1:03-cv-00027 Document 32 Filed 07/07/2005 Page 1 of 4

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

DATE		PLACE
SERVED	7/6/05, 4:25pm	Director's Office Department of Revenue & Taxation, Gov Guam Bldg. 13-1, 2nd Floor, Tiyan, Guam
SERVED ON (PRINT NAME)		MANNER OF SERVICE
ART B. ILAGAN, Director		Personal Delivery
SERVED BY (PRINT NAME)		TITLE
RONY A. CRUZ		Runner

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 7-7-05
DATE


SIGNATURE OF SERVER

2nd Floor, J&R Bldg, 208 Pt. A, Hagatna, GU 96910
ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly conducts business

person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

William L. Gavras, Esq.
LAW OFFICES OF GORMAN & GAVRAS
A Professional Corporation
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208 Route 4
Hagåtña, Guam 96910
Telephone: 472-2302
Facsimile: 472-2342

Attorneys for Plaintiff
LA-RESA BLAS

IN THE UNITED STATES DISTRICT COURT

LA-RESA BLAS,

CIVIL CASE NO. 03-00027

Plaintiff,

vs.

DEPOSITION SUBPOENA

IMPERIAL SUITES, INC,
d/b/a IMPERIAL SUITES HOTEL
and BONG ROBATO,

Defendants.

_____/

TO: Department of Revenue and Taxation

YOU ARE COMMANDED TO APPEAR on July 14, 2005, at 2:00 p.m. at the Law Offices of Gorman & Gavras, 2nd Floor, J&R Bldg., 208 Route 4, Hagatna, Guam, Plaintiff in the above-entitled action will take your deposition at the address above written, upon oral examination pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, before a Notary Public or before some other officer authorized by law to administer oaths.

You are instructed pursuant to Rule 30(b)(6) to designate one or more officers directors, or managing agents, or other persons to testify on behalf of the Department of Revenue and Taxation as to the following matters:

1. All records and/or data which would show or indicate the number and/or names of all employees who worked for Defendant Imperial Suites, Inc. d/b/a Imperial Suites Hotel for the past five (5) years; and
2. All records and/or data which would show or indicate the time periods during which the employees worked and/or were employed.

DOCUMENTS

You are instructed to bring all documents responsive to the following requests:

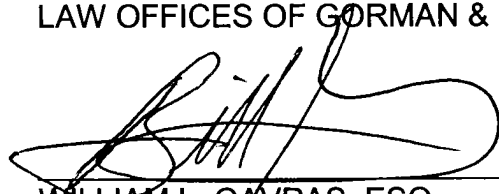
1. All records and/or data which would show or indicate the number and/or names of all employees who worked for Defendant Imperial Suites, Inc. d/b/a Imperial Suites Hotel for the past five (5) years; and
2. All records and/or data which would show or indicate the time periods during which the employees worked and/or were employed.

The oral examination(s) will continue from day to day until completed.

LAW OFFICES OF GORMAN & GAVRAS

Date: July 6, 2005.

BY:



WILLIAM L. GAVRAS, ESQ,
Attorneys for Plaintiff
LA-RESA BLAS